

SENATE BILL REPORT

SB 6014

As Passed Senate, March 12, 2007

Title: An act relating to industrial development on reclaimed surface coal mine sites.

Brief Description: Authorizing industrial development on reclaimed surface coal mine sites.

Sponsors: Senators Swecker, Haugen, Keiser, Hatfield, Zarelli, Benton, Hewitt, Stevens, Shin, Marr, Rasmussen, Oemig and Sheldon.

Brief History:

Committee Activity: Government Operations & Elections: 2/26/07 [DP].

Passed Senate: 3/12/07, 49-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Benton, Kline and Swecker.

Staff: Mac Nicholson (786-7445)

Background: Industrial development in counties and cities planning under the Growth Management Act (GMA) is generally only allowed in urban growth areas (UGAs). UGAs are areas within which urban growth is encouraged, and outside of which, growth can only occur if it is not urban in nature.

In limited circumstances, the GMA allows industrial development in areas outside of UGAs. Under RCW 36.70A.365, a county may authorize the siting of a major industrial development (MID) outside UGAs, and under RCW 36.70A.367, a county may designate an industrial land bank of no more than two master planned locations for major industrial activity outside UGAs. The designation, siting, and approval of a MID or an industrial land bank is done through amendment to the county comprehensive plan, provided certain statutory requirements are met.

Summary of Bill: Certain qualified counties planning under the GMA may designate a master planned location for major industrial activity outside UGAs on lands formerly used or designated for surface coal mining and supporting uses. Counties authorized to designate major industrial development on former surface coal mining uses must have had a surface coal mining operation in excess of 3,000 acres that ceased operation after July 1, 2006, and that is located within 15 miles of the I-5 corridor.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Designation of a master planned location for major industrial activities is an amendment to the comprehensive plan of the county. The master planned location must be located on land formerly used or designated for surface coal mining and supporting uses, that consist of an aggregation of land of at least 1,000 acres, and that is suitable for manufacturing, industrial, or commercial business. The master planned location must include criteria for the provision of new infrastructure and an environmental review must be done at the programmatic level.

Approval of a specific major industrial activity is conducted through a local master plan process and does not require comprehensive plan amendment. The development regulations adopted must provide that the site consist of 100 or more acres of land formerly used or designated for surface coal mining; must prevent urban growth in the adjacent nonurban areas; and limit commercial development.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill applies specifically to Lewis County. Lewis County recently lost the largest number of jobs and the largest payroll at one time in county history. The silver lining is that the company that closed donated 1,000 acres to the community to develop an industrial park. The land is part of a former coal mine and has strong infrastructure in place. Comprehensive plans and zoning changes need to occur, and this bill defines that process. This bill will apply to one specific area in Lewis County. The bill is necessary because existing laws regarding the siting of industrial land banks require a study of other available land within the county, and that is not necessary in this instance. The bill doesn't exempt the land from reclamation requirements. The bill allows sorely needed economic development in Lewis County.

OTHER: The bill needs to be workable from an environmental perspective. The designation of the industrial site authorized in the bill must be environmentally appropriate, and the site should not be exempted from any current obligations to reclaim the site.

Persons Testifying: PRO: Senator Swecker, prime sponsor; Bill Lotto, Lewis County Economic Development Council; John Hempelmann, Bob Johnson, Director, Community Development for Lewis County; Bob Guenther, International Brotherhood of Electrical Workers 77.

OTHER: Kaleen Cottingham, Futurewise.